

Prob12B
D/NV Form
Rev. June 2014

United States District Court
for
the District of Nevada

REQUEST FOR MODIFICATION
TO CONDITIONS OF SUPERVISION WITH CONSENT OF OFFENDER
Probation Form 49 (Waiver of Hearing) is Attached
February 10, 2021

Name of Offender: **Brian Ayer**

Case Number: **2:15CR00086**

Name of Sentencing Judicial Officer: **Honorable Andrew P. Gordon**

Date of Original Sentence: **November 12, 2015**

Original Offense: **Possession of Child Pornography**

Original Sentence: **36 months prison, followed by a lifetime term of supervised release**

Date Supervision Commenced: **November 13, 2020**

Name of Assigned Judicial Officer: **Honorable Andrew P. Gordon**

PETITIONING THE COURT

To modify the conditions of supervision as follows:

1. **Residential Reentry Center** – You must reside in a residential reentry center for a term of up to 90 days. You must follow the rules and regulations of the center.

CAUSE

On November 12, 2015, Your Honor sentenced Ayer to 36 months imprisonment, followed by a lifetime term of supervised release for committing the offense of Possession of Child Pornography. On October 3, 2019, Your Honor revoked Ayer's term of supervised release sentencing him to 24 months imprisonment, followed by a lifetime term of supervised release. On November 13, 2020, Ayer commenced his second term of supervised release.

As a special condition of his supervised release, Your Honor sentenced Ayer to a period of up to 90 days at the Residential Reentry Center (RRC). Ayer has completed 90 days, however, has not saved enough money to secure his own residence. Ayer did secure full-time employment with Master of Barricades and received a promotion. To assist Ayer in saving money for his own

RE: Brian Ayer

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residence, the undersigned officer respectfully requests that Ayer's conditions be modified to include an additional placement of up to 90 days at the RRC. If Your Honor is amenable, the Court could also order that subsistence payments be waived during this time. Ayer agrees with the proposed modification as reflected by his signature on the attached Probation 49 form.

Please contact the undersigned officer at tawni_salem@nvp.uscourts.gov or 702-278-8528 with any questions or concerns.

Respectfully submitted,

Digitally signed by Tawni
Tawni Lea Salem
Lea Salem
Date: 2021.02.11 08:29:04
-08'00'

Tawni Salem
Senior United States Probation Officer

Approved:

2021.02.11
07:26:01 -08'00'

Joy Gabonia
Supervisory United States Probation Officer

THE COURT ORDERS

- No Action.
- The extension of supervision as noted above.
- The modification of conditions as noted above
- Other (please include Judicial Officer instructions below):

Signature of Judicial Officer

February 11, 2011
Date

PROB 49
(3/89)

UNITED STATES DISTRICT COURT

District of Nevada

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

Residential Reentry Center – You must reside in a residential reentry center for a term of up to 90 days. You must follow the rules and regulations of the center.

Witness J. L. Sal
U.S. Probation Officer

Signed B. Ayer
Probationer or Supervised Releasee
(Brian Ayer)

Date

2-10-21